

Water, Land Use and Rural Development Committee

Senator Gail Griffin, Chairman



Kathi Knox, Research Analyst

Devika Persaud, Intern

WATER, LAND USE AND RURAL DEVELOPMENT COMMITTEE

LEGISLATION ENACTED

navigable stream adjudication commission; extension (S.B. 1110) – Chapter 39

Continues the Arizona Navigable Stream Adjudication Commission (ANSAC) through June 30, 2016. Requires Legislative Council to prepare legislation to terminate ANSAC when notified the work of the ANSAC is complete.

cities; acquisition of wastewater utility (S.B. 1171) – Chapter 146

Outlines a procedure for a municipality to acquire all or a portion of a wastewater treatment facility that is currently owned by a county. The city or town must have obtained prior approval to operate a wastewater treatment facility and it must be located within the city or town boundary or serve its residents. The county must transfer title of the facility to the municipality upon request. The bill establishes specific conditions and timeframes related to the transfer of infrastructure (including pipes and pumps) and treatment capacity.

Requires the city or town to assume any outstanding debt, costs of ongoing maintenance and operations, billing and invoicing of customers. Allows an entity to request assistance from the Auditor General in order to resolve a dispute regarding these costs. The Auditor General's independent audit will establish the final payment amount. The cost of the audit will be charged to one or both of the entities involved in the dispute.

Provides for shared use of the wastewater facility by the county and city or town in order to accommodate residents in the area. Addresses treatment capacity, connections for new customers and associated costs.

tax deed land sales (S.B. 1242) – Chapter 148

Allows a county board of supervisors to sell, without auction, land held by the state under tax deed to a county, city, town or special taxing district in the county if the land will be used for a public purpose related to transportation or flood control. Requires the board of supervisors to issue a deed conveying the title to the purchaser and apportion the monies received in the transaction to the county treasurer.

~~inmate credit for imprisonment~~ (NOW: prisoners; credits for fines) (S.B. 1291) – Chapter 102

Increases the rate at which debt may be reduced in exchange for hard labor or imprisonment, from a maximum of \$10 to a maximum of \$50 per day. Applies to a prisoner who is sentenced to pay a fine, and to a person who is committed for nonpayment of a fine.

real estate; education; broker requirements (S.B. 1292) – Chapter 150

Requires an applicant for a real estate license to demonstrate a thorough understanding of the obligations and principles of real estate practices and an appropriate knowledge of all other real estate practices and principles, as determined by the Real Estate Commissioner.

Allows the Commissioner to withdraw or deny certification of real estate schools, educational courses or real estate instructors who teach content that is not current or differs from the course as approved. Effective January 1, 2012, requires a real estate course instructor to attend at least a three-hour professional seminar or workshop on instruction methods and techniques approved by the Real Estate Department. An instructor must attend a seminar or workshop before applying for an original or renewal license. Provides exemptions from this requirement.

Extends the deadline, from five business days to ten, for a designated broker to review each listing agreement, purchase, nonresidential lease agreement or similar instrument.

~~dams; affidavit; recording~~ (NOW: property tax classification; lodging) (S.B. 1293) – Chapter 232

Effective in TY 2011, modifies the criteria for a bed and breakfast establishment to be classified as class four property for taxation purposes. The number of rooms that may be rented is increased from six to eight and the owner is required to reside on the property, rather than in the physical building being rented. The bill also removes the restriction limiting the average annual occupancy rate to 50 percent and below.

provisional community colleges; levy limit (S.B. 1295) – Chapter 233

Retroactive to May 17, 2010, provides that if an area forms a provisional community college district, the levy limit for the provisional district is no less than that which applies to the last community college established in the state. In this case, no other statutory requirement to establish a levy limit applies. The bill also prohibits the Property Tax Oversight Commission from setting a property tax levy limit for a provisional community college district that is less than the levy limit of the most recently formed community college district in the state.

~~flood control structures~~ (NOW: structures; flood control districts) (S.B. 1362) – Chapter 133

Allows a bridge to be built over a watercourse as part of a flood control enhancement solution if it is not possible for an emergency vehicle to cross the watercourse for at least 14 days per year.

~~technical correction; light pollution~~ (NOW: bond election; informational pamphlet) (S.B. 1512) – Chapter 72

Requires the informational pamphlet for a bond election, held by the governing body or board of a political subdivision, to include the estimated tax impact for agricultural and other vacant property. The estimated tax impact for agricultural and other vacant property will be based on a value of \$100,000. For commercial property, specifies the estimated tax impact will be based on a value of \$1 million, rather than \$2.5 million.

municipal water charges; responsibility. (H.B. 2193) – Chapter 279

Specifies, for a residential property of four or fewer units, that a municipality may require payment only from the person who has contracted for water and wastewater services. Prohibits a municipality from refusing service, due to unpaid service charges, to anyone other than the person who resided and received service at the property.

Allows other entities who do not reside at the property to voluntarily contract for water and wastewater service and pay for those services.

~~board of appraisal; disciplinary proceedings.~~ (NOW: military family relief fund; extension) (H.B. 2284) – Chapter 126 E

An emergency measure, effective April 15, 2011, that extends the Military Family Relief Fund to December 31, 2018. Requires a two-thirds majority, rather than a unanimous vote of the Military Family Relief Fund Advisory Committee (Committee), to approve an award of up to \$20,000. Extends the authority of the Committee to award grants through December 31, 2012.

water salinity study committee (H.B. 2593) – Chapter 201

Establishes the 26-member Joint Water Salinity Study Committee (Committee) to consider issues related to water softener usage in the U.S. and other countries, including the impacts of water salinity on water supplies in the state and fiscal issues related to water and wastewater treatment. The bill allows the Committee to divide into subcommittees as designated by the chairperson of the Committee, and requires a report of findings and any recommendations to be submitted to the Governor, President of the Senate, Speaker of the House of Representatives and Secretary of State by December 31, 2011. The Committee is repealed on October 1, 2012.